

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | T. Takagi et al. | Attorney Docket No.: | DAISAN126512 |
| Application No.: | 10/555076 | Art Unit: | 1617 / Confirmation No.: 3081 |
| Filed: | March 2, 2006 | Examiner: | T.E. Betton |
| Title: | ADIPONECTIN PRODUCTION ENHANCER | | |

RESPONSE AFTER NON-FINAL REJECTION

Seattle, Washington 98101

July 28, 2009

TO THE COMMISSIONER FOR PATENTS:

INTRODUCTORY COMMENTS

Claims 41, 43-48, 55-57, and 59-62 are pending in the application and have been rejected. Reconsideration and allowance of these claims in view of the following remarks is respectfully requested.

I. Status of the Claims

Claims 41, 43-48, 55-57, and 59-62 were pending at the time the Office Action dated May 8, 2009 (the "Action"), was mailed. No claims are added, amended, or canceled. Claims 41, 43-48, 55-57, and 59-62 remain pending.

II. Claims 41, 43-48, 55-57, and 59-62 Are Not Obvious

Claims 41, 43-48, 55-57, and 59-62 are rejected as obvious over a combination of five references: Arita (*Biochem. Biophys. Res. Comm.* 257:79 (1999)), Kondo (*Diabetes* 51:2325 (July 2002)), Ellsworth (U.S. Patent No. 6,414,126), Weyer (*J. Clin. Endocrin. Metabolism* 86:1930 (2005)), and Orsi (*Pharmacotherapy* 21:767 (2001)). A summary of the reasons behind the rejection appears to be presented on page 11 of the Action:

The objective evidence present in the application is fully made obvious by the teachings of Arita et al., Kondo et al. and Ellsworth et al.

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